**In the High Court of Justice, No: [*Case number*]**



**Family Division**

**[The Administration of Justice Act 1960] /**

**[The Children Act 1989] /**

**[The Human Rights Act 1998]**

**The child[ren]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

**[*Name of child*] [Girl] / [Boy] [*dob dd/mm/yy*]**

After hearing [*name the advocate(s) who appeared*]

After reading the statements and hearing the witnesses specified in the Recitals below

**REPORTING RESTRICTION ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [OPEN COURT] / [PRIVATE]**

**IMPORTANT WARNING: ANY PERSON OR BODY WHO KNOWS OF THIS ORDER AND DOES ANYTHING TO BREACH ITS TERMS MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

**IF YOU ARE SERVED WITH THIS ORDER YOU SHOULD READ IT EXTREMELY CAREFULLY AND ARE ADVISED TO CONSULT A SOLICITOR AS SOON AS POSSIBLE. YOU HAVE THE RIGHT TO ASK THE COURT TO VARY OR DISCHARGE THE ORDER.**

**The parties**

1. The applicant is [*applicant name*] (‘the local authority’)

The respondent is [*respondent name*] (‘the mother’) of [*respondent address*]

The second respondent is [*second respondent name*] (‘the father’) of [*second respondent address*]

**(specify if any adult party acts by a litigation friend)**

The third respondent is [*third respondent name*] (acting by [his] / [her] guardian [*guardian name*])

The fourth respondent is [*fourth respondent name*] (acting by [his] / [her] guardian [*guardian name*])

**(adapt if any party’s name is to be confidential)**

2. The lead solicitor employed by the Local Authority is [*LA’s solicitor name*], whose direct telephone number is [*LA’s solicitor phone number*] and email address is [*LA’s solicitor email name*], and to whom all enquiries about the scope and effect of this order should be addressed.

**Recitals**

3. On [*date*] the court considered an application for a reporting restriction order.

4. **(in the case of an order made without notice)**

This order was made at a hearing without notice to [*name*]. The reason why the order was made without notice to [*name*] was [*insert*].

5. **(in the case of an order made following the giving of short informal notice)**

This order was made at a hearing without full notice having been given to [*name*]. The reason why the order was made without full notice having been given to [*name*] was [*insert*].

6. The Judge read the following documents [*insert*] and heard oral evidence from [*name*].

7. Schedule 1 to this order is an explanatory note. It forms part of this order. The note must always be supplied to any person affected by this order.

8. At present the address of the child[ren] and the names and address of their foster carers are not public knowledge. Those names and address are therefore not set out in this order but have been given to the court. Those details must remain strictly confidential.

9. Subject to the following paragraph, this order binds all persons and all companies or unincorporated bodies (whether acting by their directors, employees or in any other way) who know that the order has been made.

**Territorial limitation**

10. In respect of persons outside England and Wales:

* 1. Except as provided in sub-paragraph (b) below, the terms of this order do not affect or concern anyone outside the jurisdiction of this court.
  2. The terms of this order will bind the following persons in a country, territory or state outside the jurisdiction of this court:
     1. the first and second respondents or their agents;
     2. any person who is subject to the jurisdiction of this court;
     3. any person who has been given written notice of this order at his residence or place of business within the jurisdiction of this court; and
     4. any person who is able to prevent acts or omissions outside the jurisdiction of this court which constitute or assist in a breach of the terms of this order;
     5. any other person, only to the extent that this order is declared enforceable by or is enforced by a court in that country or state.

**Undertakings to the court**

11. **(for example)**If the court later finds that this order has caused loss to the respondent [and to a third party] and decides that the respondent [and the third party] should be compensated for that loss, the applicant shall comply with any order the court may make.

12. The applicant will not without permission of the court seek to enforce this order in any country, state or territory outside England and Wales.

**IT IS ORDERED THAT:**

13. The applicant is granted permission pursuant to section 100 of the Children Act 1989 to apply for an order in the exercise of the court’s inherent jurisdiction.

**Prohibited publications**

14. Subject to the ‘**territorial limitation’** above, this order prohibits the publishing or broadcasting in any newspaper, magazine, public computer network, internet website, social networking website, sound or television broadcast or cable or satellite program service for the purposes of preventing the identification (whether directly or indirectly) of the names and addresses of the child[ren] (whose details are set out in paragraph 1 above) or the mother or father (whose details are also set out in paragraph 1 above), or any other person or body caring for the child[ren], **if, but only if**, such publication is likely, whether directly or indirectly, to lead to the identification of [any one of] the child[ren] as being:

* 1. [A child subject of proceedings under the Children Act 1989 or the Adoption and Children Act 2002;]
  2. [A child who has been the subject of allegations of abuse;]
  3. [A child who has been removed from the care of their parents;]
  4. [A child whose contact with their parents has been prohibited or restricted.]

14. No publication of the text or summary of this order or the supporting documents (except as provided for below under ‘Service of this order’) shall include any of the matters referred to in the preceding paragraph.

**Permitted publications**

15. Nothing in this order shall prevent any person from:

* 1. publishing information relating to any part of a hearing in a court in England and Wales (including a coroner’s court) in which the court was sitting in public and did not itself make any order restricting publication;
  2. seeking or publishing information which is not restricted by the section ‘Prohibited publications’ above;
  3. enquiring whether a person or place falls within the section ‘Prohibited publications’ above;
  4. seeking information relating to the child[ren] while acting in a manner authorised by statute or by any court in England and Wales;
  5. seeking information from the lead solicitor acting for the local authority, whose details are set out under ‘The parties’ above, or from any press officer employed by the local authority;
  6. seeking or receiving information from anyone who before making of this order had previously approached that person with the purpose of volunteering information (but this paragraph will not make lawful the provision or receipt of private information which would otherwise be unlawful).

**Duration of this order**

16. Subject to any different order made in the meantime, this order shall have effect until [*insert* **(e.g. [child name]’s 18th birthday on [*date*])**].

**The right to apply for variation or discharge of this order**

17 The parties and any person affected by any of the restrictions in the section ‘Prohibited publications’ above of this order may make application to vary or discharge it to a judge of the High Court on no less than forty-eight hours’ notice to the parties. Any such application shall be supported by a witness statement endorsed with a statement of truth.

**Service of this order**

18. Without prejudice to the terms of the ‘territorial limitation’ above, copies of this order (which is endorsed with the notice warning of the consequences of disobedience) shall be served by the applicant (and may be served by any other parties to the proceedings):

* 1. by service on such newspaper and sound or television broadcasting or cable satellite or programme services as they see fit, by fax or first class post addressed to the editor (in the case of a newspaper) or senior news editor (in the case of a broadcasting, cable or satellite programme service) or website administrator (in the case of an internet website) and/or to their respective legal departments; and/or
  2. on such other persons as the parties may think fit, by personal service.

**Costs**

18. There shall be no order as to costs.

Dated [*date*]

**Schedule 1**

**EXPLANATORY NOTE**

**(set out in plain english. a useful example is contained in the cafcass practice note of 18th March 2005)**

[*Insert*]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Notice pursuant to PD 37A para 2.1**

You [*name*] may be sent to prison for contempt of court if you break the promises that have been given to the court

**Statements pursuant to PD 37A para 2.2(2)**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court

[*name*]